

Name of second inventor

Roy H. Pottier

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Inventor's signature

Roy Pottier

Date

15 OCTOBER 2003

**DECLARATION**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am an original, first, and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled

**PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINO LEVULINIC ACID  
AND PRECURSORS THEREOF**

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(Attorney Docket No. 067286-0257)

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the specification of which (check one)

       is attached hereto.

  X   was filed on 03/26/2001 as United States Application Number  
09/816,329 .

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

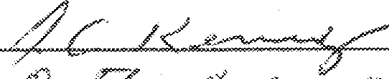
THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	Parent Filing Date	Parent Patent Number
09/293,835	April 19, 1999	
08/465,242	June 5, 1995	5,955,490
08/082,113	June 28, 2003	5,422,093
07/865,151	April 8, 1992	5,234,940
07/783,750	October 28, 1991	5,211,938
07/386,414	July 28, 1989	5,079,262
08/092,925	July 19, 1993	

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	James C. Kennedy
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Inventor's signature	
Date	October 9, 2003